

gets 4 hours. That is exactly what we are seeing in elections across the country. You may see in some elections that the average donation may be \$50. Along come the Koch brothers, who in most States would be out-of-State, out-of-State oil and coal billionaires, coming in and maybe spending \$3 million or \$5 million or more through a variety of front groups they have set up.

How many individual donations does it take to get the same time to present your case as the Koch brothers spending, say, \$3 million? Well, it would take about 60,000 \$50 donations to buy the same opportunity to speak. So Citizens United is very much like that town council saying: You, madam citizen, get 30 seconds, but you, mister rich, powerful individual, get 4 hours. So, of course, it is corrosive and corrupting. It erodes fair opportunity for all citizens to have their voice heard. And because it does erode the ability of all citizens to have their voice heard, of course, it enhances the belief, that is, the appearance that the system is rigged, the appearance of corruption.

It changes the debate in this Chamber because colleagues look at these millions of dollars brought to bear by just a couple individuals and they say to themselves in the back of their head: I better not step on the toes of that group that can now spend millions of dollars in my election way down in a southern State or way up in a western State or way up in the northeast. I better not step on their toes. If that is not corrosive and corrupting to a "We the People" debate and decision-making, I do not know what is.

Let's take an example. Not so long ago the party across the aisle was saying: We think we have a good idea on how to use a market-based system to control sulfur dioxide. Rather than putting a limit on each smokestack, we will create an overall limit and allow the market to allocate the most cost-effective way to reduce that sulfur dioxide pollution. That cap-and-trade system invented across the aisle, proposed across the aisle, passed across the aisle, actually worked pretty well. In fact, it worked spectacularly. Sulfur dioxide and acid rain were decreased faster, more cheaply than anyone envisioned. If the range of possible outcomes was considered to be 1 through 10, this was a 25. It was a resounding success.

But along come two individuals who have these billions of dollars who are getting into elections all over the country, who are threatening to put millions in to those who disagree, and they say: No, no, no. Sulfur dioxide, hmm, do not apply this idea that worked so well for the carbon dioxide pollution; do not do that; no matter how well this idea worked, do not do that because we won't fund your election. If you are with us, we will fund massive amounts of campaign ads to attack your opponents. That is exactly what the Koch brothers have done, and they reversed the entire position of my

colleagues across the aisle in a couple years—in about a 2-year period—from a market-based control of a major pollutant, carbon dioxide, to arguing that no, no, no, it cannot be controlled. That would be an energy tax.

Well, this happens time and time again, and the people across this Nation do, in fact, pay attention. They are seeing the system is rigged. That is why in one poll 92 percent of Americans said this program is broken. I thought to myself: What is wrong with the other 8 percent? Haven't they paid attention? Don't they know how much this system is being corrupted by Citizens United, by the decision of those five Justices?

Well, in addition, there is another form of corruption that comes from Citizens United; and that is those individuals who have been elected by these vast sums are beholden to those who elected them and they will choose no policy that goes against those who have pulled their strings and gotten them elected. That is definitely a form of serious corruption in a democracy, where ideas are supposed to be debated and decided, analyzed, not where vast corporate or individual wealthy billionaires pull the strings. So it is destroying the competition between ideas on how to take a path that works for "We the People" instead of "We the Powerful."

When people back home see those in this Chamber arguing to cut food stamps while not cutting a single egregious tax giveaway to powerful oil companies, they see the corrosive influence of Citizens United. When they see folks across the aisle arguing that you should not eliminate these subsidies that go to companies that ship our jobs overseas, and that you should oppose subsidies to bring those jobs home, they see the powerful influence of Citizens United. The list could go on and on.

We have a particular challenge because the concentration of wealth in America is greater than it has been since 1920, greater than it has been for virtually a century. And now we have a system, thanks to our Supreme Court majority of five, that says wealth can be brought to bear to buy elections across this Nation. This is not the system that colonists thought about when they were trying to set up a government that would serve every American—not the few—that would serve humble, ordinary working Americans—not the most powerful—that would serve those in every economic level for a better vision, a better opportunity for employment, a better opportunity for health, a better opportunity to live a quality life, instead of just those who have the biggest bank checkbooks.

I urge my colleagues, let's take up this issue. How could any issue be more important than this issue that goes to the very core of our democracy? Let's not try to run these lengthy, lengthy speeches with learned, learned quotes, to try to disguise what this is about:

the wealthiest, the most powerful oppressing the fundamental nature of our democracy.

Together we can stay the hand that holds the dagger aimed at the heart of democracy, and it is our responsibility to do so for this generation and for the generations to come.

Thank you, Madam President.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:56 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATING TO CONTRIBUTIONS AND EXPENDITURES INTENDED TO AFFECT ELECTIONS—MOTION TO PROCEED—Continued

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Utah.

Mr. HATCH. Madam President, more than 40 years ago, in *New York Times v. Sullivan*, Justice William Brennan described "a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open." The measure now before the Senate shows that this commitment is in serious jeopardy.

Next week marks the 227th anniversary of the drafting of the U.S. Constitution. Those who participated in that process agreed that individual liberty requires limits on government power, but they differed on how explicit and extensive those limits should be. Many thought the simple act of delegating enumerated powers to the Federal Government and reserving the rest to the States would be enough. Others were more skeptical of government power and insisted that the Constitution needed a bill of rights. Those skeptics, however, were not skeptical enough. The measure before us today, S.J. Res. 19, would allow the government to control and even prohibit what Americans say and do in the political process.

Yesterday a member of the majority leadership said this measure is "narrowly tailored." It is possible to believe that only if you have never read S.J. Res. 19 and know nothing about either the Supreme Court's precedents or past proposals of this kind. This is not the first attempt at empowering the government to suppress political speech, but it is the most extreme.

Four elements of this proposal are particularly troubling.

First, its purpose is to advance what it calls "political equality." None of the constitutional amendments previously proposed to control political speech has made such a claim. The irony is astounding. At the very time in our history when technology is naturally leveling the political playing